IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 6575 of 2004

Mrs.Neha Dili;p Doshi ..Petitioner

vs.

1. The Chief Engineer (KOP2)
and others ..Respondents

Shri Ilteja Siddique for petitioner
Smt.A.R.S.Baxi for respondents

CORAM: A.P.SHAH
& S.U.KAMDAR JJ.
19th August,2004

P.C.

1. The petitioner has got an alternative remedy of appeal under Condition 31(e) of the Conditions and Misc.Charges for Supply of Electricity Energy framed by the respondent Board. The petitioner agrees to prefer appeal as per condition 31(e) within four weeks.

2. Normally the appeal under Condition 31(e) can be heard only subject to predeposit of 50% of the amount. However, having regard to the fact that the petitioner's factory has remained closed for last more than 2 and half years, we direct the Board to accept the deposit of 35% of the amount demanded. The petitioner shall deposit the said amount within 12 weeks. If the amount is deposited the Appellate Authority shall consider the appeal

on merits and pass appropriate order in accordance with law.

3. On deposit of the 35% of the amount as aforesaid, the respondent Board is directed to reconnect the electricity supply sbuject to payment of reconnection charges, however, such reconnection of supply shall be subject to the outcome of the appeal.

4. Petition is accordingly disposed of.

5. Parties to act on authenticated copy.